

WILLIS FLOYD WILEY §
v. § CIVIL ACTION NO. 9:08cv156
DIRECTOR, TDCJ-CID §

The Petitioner Willis Floyd Wiley, proceeding *pro se*, filed this application for the writ of habeas corpus complaining of prison disciplinary action taken against him. This Court ordered that the matter be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

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The Court has reviewed the pleadings in this cause, including the Petitioner's motion to dismiss, and the Report of the Magistrate Judge. Upon such review, the Court has concluded that while the Report of the Magistrate Judge is correct, the Petitioner's motion for voluntary dismissal should be granted. It is accordingly

ORDERED that the Petitioner's motion to dismiss (docket no. 8) is GRANTED and that the above-styled civil action be and hereby is DISMISSED without prejudice on the motion of the Petitioner. Finally, it is

ORDERED that any and all motions which may be pending in this action are hereby DENIED.

So **ORDERED** and **SIGNED** this **1** day of **December, 2008**.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge